

November 26, 2002

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

850 Union Bank of California Building
900 Fourth Avenue
Seattle, Washington 98164
Telephone (206) 296-4660
Facsimile (206) 296-1654

REPORT AND DECISION ON PRELIMINARY PLAT APPLICATION

SUBJECT: Department of Development and Environmental Services File No. **L00P0025**

EARLINGTON RIDGE
Preliminary Plat Application

Location: Northwest Corner of South 134th Street and 88th Avenue South

Applicant: Lakeridge Development Inc.
represented by **David Casey**
Casey Engineering
P.O. Box 1255
Fall City, WA 98024-1255

King County: Department of Development and Environmental Services,
Land Use Services Division
represented by **Fereshteh Dehkordi**
900 Oakesdale Avenue SW
Renton, WA 98055-1219
Telephone: (206) 296-7173
Facsimile: (206) 296-6613

SUMMARY OF DECISION/RECOMMENDATION:

Department's Preliminary Recommendation:	Approve, subject to conditions
Department's Final Recommendation:	Approve, subject to conditions
Examiner's Decision:	Approve, subject to conditions

EXAMINER PROCEEDINGS:

Hearing Opened:	November 21, 2002
Hearing Closed:	November 21, 2002

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes.
A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

KEY WORDS:

- Traffic
- Safe walking conditions
- Sewer service
- King County Road Standards

SUMMARY:

Grants preliminary approval to a proposed plat of 6.2 acres into 41 residential building lots.

FINDINGS OF FACT: Having reviewed the record in this matter, the Examiner now makes and enters the following:

FINDINGS:

1. **Proposal.** Wayne Jones of Lakeridge Development, Inc. (“Applicant”), represented by David Casey of Casey Engineering, proposes to subdivide a 6.2 acre parcel into 41 residential building lots. Four lots already exist on the subject property. Thus, the net increase (upon which impact calculations are based) is 37 new lots. Both detached single-family residences and “zero side yard setback” attached dwellings are proposed. At 6.5 dwelling units per acre development density, the proposed plat of Earlington Ridge barely complies with the *minimum* density standard established by the RA zoning classification within which it is located.

The Applicant’s preliminary plat drawing depicts the arrangement of lots and tracts. It is incorporated as exhibit no. 7 in this hearing record. It is also attached to the Department of Development and Environmental Services (“DDES” or “Department”) preliminary report, entered as exhibit no. 2.

2. **State Environmental Policy Act compliance.** On September 24, 2002 the Department issued a mitigated threshold determination of non-significance (MDNS) for the proposed plat of Earlington Ridge. A MDNS imposes certain conditions to preclude probable significant adverse impacts on the environment resulting from the proposed development. In this case, the MDNS requires the following:
 - a. Improvement of a segment of Stevens Avenue within City of Renton jurisdiction, from South 134th Street and Langston Road to a minimum 20 foot wide of paved roadway, together with a pedestrian walkway on one side of the roadway.
 - b. Improvement of South 134th Street between 88th Avenue South and 84th Avenue South, to provide a minimum 20 foot wide paved roadway section for two-way vehicle traffic.
 - c. Improvement/development of walkways to assure safe walking conditions for children living in the proposed plat of Earlington Ridge and attending Demitt Middle School and Campbell Elementary School.

These SEPA requirements are stated in their entirety as condition nos. 7 m through 7 s on pages 7 and 8 of this report and decision along with numerous other traffic and roads-related conditions. No person, agency, tribe or other entity appealed the Department’s threshold determination, which is based upon the Department’s review of the environmental checklist and numerous other relevant environmental documents and expert consultation. The Department’s environmental review record is incorporated in this hearing record.

3. **Department Recommendation.** The Department recommends granting preliminary approval to the proposed plat of Earlington Ridge, subject to the fourteen conditions of final plat approval stated on pages 7 through 13 of the Department's Preliminary Report (exhibit no. 2)—with one minor clarification. As stated in the Department's preliminary report, recommended condition no. 7 q cross references two other conditions inaccurately. Recommended condition no. 7 q *should* refer to recommended conditions nos. 7 m and 7 n.
4. **Applicant response.** The Applicant accepts the Department's recommendation as described in finding no. 3 above.
5. **Neighborhood concerns.** The following findings are relevant to concerns raised by neighboring property owners.
 - a. The Department, Applicant and neighboring property owners all agree that a walkway required to meet statutory "safe walking conditions for students" should be located along the south side of 134th Street. The feasibility of this preferred route will depend upon permission from the City of Seattle which owns the Cedar River pipeline right-of-way which runs parallel to, and abuts, the Cedar River pipeline right-of-way. If that route is approved, then the Applicant probably will seek King County Department of Transportation (Road Services Division) approval to reduce the sidewalk/curb/gutter urban standard improvements for those Earlington Ridge lots which abut the north side of South 134th Street.
 - b. The City of Renton provides sewer service to the area. The present or future availability of that sewer service for those properties neighboring Earlington Ridge necessarily will depend on negotiations and agreements with the City of Renton.
 - c. South 134th Street extending west to Langston Rd. from 38th Avenue South narrows to become a posted one-way street. At the west end, at Langston, a sign says "do not enter." Neighboring property owners express concern regarding the dangerousness of that circumstance, which is exacerbated by many drivers who choose to ignore the "do not enter" signage. This is not a problem created by the Applicant. Kristen Langley, representing the Road Services Division, recommends that neighboring property owners bring the South 134th Street problem to the attention of the County Road Engineer, Paulette Norman, at (206) 296-6596.
 - d. Some neighboring property owners question the traffic distribution projected by the traffic impact analysis prepared by Christopher Brown, P.E. (exhibit no. 13). Mr. Brown considered adjacent land uses, projected phasing, the neighboring street system and its traffic characteristics, horizon year traffic, trip generation rates, traffic assignments, capacity and entering site distance. He assumed 39 new homes, two more than actually proposed. Thus, his traffic projections slightly exaggerate actual probable traffic generation. He obtained current peak hour traffic volume data in the field—under both dry and clear weather conditions. None of the intersections in the vicinity measure level of service (LOS) lower than "A". DDES and Road Services Division accept and support Mr. Brown's analysis.

6. **Department report adopted.** The facts and analysis contained in the Department's report are accurate and adopted here by this reference. Copies of the Department's report (exhibit no. 2) will accompany those copies of this report that are forwarded to the Metropolitan King County Council.

CONCLUSIONS:

1. If approved subject to the conditions recommended below, the proposed subdivision will comply with the goals and objectives of the King County Comprehensive Plan, Subdivision and Zoning Codes, and other official land use controls and policies of King County.
2. If approved subject to the conditions recommended below, this proposed subdivision will make appropriate provision for the public health, safety and general welfare and for open spaces, for drainage ways, streets, other public ways, transit stops, potable water supply, sanitary wastes, parks and recreations, playgrounds, schools and school grounds, and safe walking conditions for students who only walk to school; and it will serve the public use and interest.
3. The conditions for final plat approval recommended below are in the public interest and are reasonable requirements to mitigate the impacts of this development upon the environment.
4. The dedications of land or easements within and adjacent to the proposed plat, as recommended by the conditions for final plat approval or as shown on the proposed preliminary plat submitted by the applicant, are reasonable and necessary as a direct result of the development of this proposed plat.

DECISION:

The proposed plat of Earlington Ridge, as described by exhibit no. 2 is **GRANTED PRELIMINARY APPROVAL**; *subject* to the following conditions of final plat approval:

1. Compliance with all platting provisions of Title 19 of the King County Code.
2. All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication that includes the language set forth in King County Council Motion No. 5952.
3. The plat shall comply with the base density requirements of the R-8 zone classification. All lots shall meet the minimum dimensional requirements of the R-8 zone classification or shall be as shown on the face of the approved preliminary plat, whichever is larger, except that minor revisions to the plat which do not result in substantial changes may be approved at the discretion of the Department of Development and Environmental Services.
4. All construction and upgrading of public and private roads shall be done in accordance with the King County Road Standards established and adopted by Ordinance No. 11187, as amended (1993 KCRS).
5. The applicant must obtain the approval of the King County Fire Protection Engineer for the adequacy of the fire hydrant, water main, and fire flow standards of Chapter 17.08 of the King County Code.

6. Final plat approval shall require full compliance with the drainage provisions set forth in King County Code 9.04. Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat. Preliminary review has identified the following conditions of approval which represent portions of the drainage requirements. All other applicable requirements in KCC 9.04 and the Surface Water Design Manual (SWDM) must also be satisfied during engineering and final review.
 - a. Drainage plans and analysis shall comply with the 1998 King County Surface Water Design Manual and applicable updates adopted by King County. DDES approval of the drainage and roadway plans is required prior to any construction.
 - b. Current standard plan notes and ESC notes, as established by DDES Engineering Review, shall be shown on the engineering plans.
 - c. The following note shall be shown on the final recorded plat:

“All building downspouts, footing drains, and drains from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain outlet as shown on the approved construction drawings # _____ on file with DDES and/or the King County Department of Transportation. This plan shall be submitted with the application of any building permit. All connections of the drains must be constructed and approved prior to the final building inspection approval. For those lots that are designated for individual lot infiltration systems, the systems shall be constructed at the time of the building permit and shall comply with plans on file.”
 - d. Core Requirement No. 1: Discharge at the Natural Location.

The applicant has received approval for the requested diversion of surface water within the project (See Adjustment File L01V0060). The conditions for adjustment approval shall be satisfied during design and review of the project engineering plans.
 - e. Core Requirement No. 3: Runoff Control.

Storm water runoff control shall be provided using the Level One detention standard outlined in the 1998 KCSWDM. The size of the proposed drainage tract may have to increase to accommodate the required detention and water quality storage volumes. The runoff control facilities shall be located in a separate tract and dedicated to King County unless portions of the drainage tract are used for required recreation space in accordance with KCC 21A.14.180.

The conceptual drainage plan shows a detention vault within 200 feet of a slope greater than 15%. A geotechnical report shall be submitted with the engineering plans to address slope stability and other applicable requirements in the 1998 KCSWDM, Section 5.3.1.1.
 - f. Core Requirement No. 4: Conveyance Systems.

The outlet pipe from the detention facility is proposed to convey water over steep slopes before discharge to the receiving water. Due to concerns for potential impacts by

drainage discharge onto the steep slopes, storm water shall be conveyed down the slopes in an enclosed system constructed of high-density polyethylene pipe (e.g. Driscopipe). The pipe shall be located presenting the least potential for erosion and which minimizes disturbance to natural vegetation. Requirements as specified in Section 4.3.6 of the 1998 KCSWDM shall be used for design purposes. In addition, the following specific considerations shall be addressed with the applicant's construction plans:

1. The pipe system shall be located on the ground surface within a King County drainage easement (or other approved accessibility method), sufficient in width for proper location and maintenance.
2. The method of construction and structural attachment of the system to the ground shall be addressed on the plans. Adequate energy dissipation shall be provided at the pipe outfall.
3. Detention pond overflow systems shall be designed for piped conveyance, rather than open spillways. The overflow structures and conveyance pipe shall be designed to accommodate flows for the 100-year storm under developed site conditions.

g. Core Requirement No. 8: Water Quality.

The Basic water quality standard shall be provided as outlined in the 1998 KCSWDM.

h. Special Requirement No. 1: Other Adopted Area-Specific Requirements.

The proposed plat is located within the Highline Community Plan which contains special P-Suffix conditions (WH-P4) related to mass transit accommodations. The applicable P-suffix requirements shall be addressed on the final engineering plans.

7. The final plat shall comply with the 1993 King County Road Standards (KCRS), and the conditions stated below. The SEPA mitigation conditions issued September 24, 2002 are incorporated as conditions 7 m through 7 s.
 - a. During preliminary review the applicant submitted a road variance application (File No. L00V0108) regarding urban frontage improvements, roadside obstacles, angle of intersection and intersection landing. The variance received a partial denial and conditional approval on August 1, 2002. The final road improvements shall comply with the variance approval requirements.
 - b. South 133rd Street shall be constructed to the urban subaccess street standard.
 - c. The connection of South 133rd Street to 88th Avenue South shall be constructed to KCRS "low speed curve" standards with minimum 55-foot horizontal radius at centerline and 35-foot radius at curb line.
 - d. 88th Avenue South shall be improved to the full-width, urban subaccess street standard across the frontage of the plat with urban frontage improvements (curb, gutter and sidewalk) required on the plat (west) side.

- e. South 134th Street is classified as a subaccess street. South 134th Street shall be improved to the urban subaccess half-street standard. Road improvements in front of the intervening parcels along South 134th Street (in front of Tax Lots 214480-0810, 182305-9214, -9229, -9232 and -9209) shall include widening to provide a 20-foot wide roadway section with a minimum 4-foot wide pedestrian facility (see also option under item q below).
- f. A right-of-way radius of 25 feet shall be dedicated on the southeast corner of proposed Lot #38 (intersection of 88th Avenue South at South 134th Street).
- g. A temporary cul-de-sac shall be provided at the western terminus of South 133rd Street.
- h. Off-site street improvements for the southern extension of 88th Avenue South, south of South 134th Street (called Stevens Way SW within the City of Renton) will be required by the City. These improvements include a minimum of 20 feet of pavement width and a pedestrian sidewalk on one side. Review and approval of these off-site improvements will be made by the City of Renton during engineering review.
- i. The proposed South 134th Street road improvements shall address the requirements for road surfacing outlined in KCRS Chapter 4. As noted in section 4.01F, full width pavement overlay is required where widening existing asphalt.
- j. Street trees shall be included in the design of all road improvements, and shall comply with Section 5.03 of the KCRS.
- k. Modifications to the above road conditions may be considered by King County pursuant to the variance procedures in KCRS 1.08.
- l. The developer shall coordinate roadway improvements with affected property owners to address driveway modifications, transitions and continuous access issues as a result of the new road improvements.
- m. The City of Renton requires the applicant to improve Stevens Avenue, from South 134th Street and Langston Road to a minimum 20 foot width of paved roadway, together with a pedestrian walkway on one side of the roadway. Walkway surfacing, striping, and signage will be determined during engineering review. This improvement shall be completed and approved by the City prior to the final plat approval.
- n. The Applicant shall improve South 134th Street, between 88th Avenue South and 84th Avenue South, to provide a minimum 20-foot wide paved roadway section for two-way vehicle traffic. From 84th Avenue South to Langston Road, the roadway is restricted to one-way (westbound, only) operation. No additional roadway widening is required for vehicle traffic.
- o. The applicant shall construct a four (4) foot wide paved walkway, with extruded curb, along the north side of South 134th Street for the intervening frontage, off-site parcels located between Lots 209, 232, 229, 214, and 810.

- p. From the southwest plat corner along the north side of South 134th Street to 84th Avenue South and continuing along the north side of South 134th Street to the intersection of Langston Road SW, the Applicant shall also provide a four (4) foot wide paved walkway with delineation (extruded curb or striping) approved by KCDOT.
 - q. As an alternative to conditions 7 m and 7 n, the applicant may construct a four (4) foot wide separated paved path within the City of Seattle pipeline right-of-way on the south side of South 134th Street from 88th Avenue South to Langston Road SW. If required by the City of Seattle, a gravel surfacing for this alternative may be substituted.
 - r. Along Langston Road SW from South 134th Street to South 132nd Street, the applicant shall construct a four (4) foot wide gravel shoulder/ walking surface.
 - s. Modification of these requirements shall be considered by DDES and KCDOT during engineering review to address any future revisions to bus stop locations, or modifications to the conditions described previously by Renton School District #403.
- 8. All utilities within proposed rights-of-way must be included within a franchise approved by the King County Council prior to final plat recording.
 - 9. The applicant or subsequent owner shall comply with King County Code 14.75, Mitigation Payment System (MPS), by paying the required MPS fee and administration fee as determined by the applicable fee ordinance. The applicant has the option to either: (1) pay the MPS fee at final plat recording, or (2) pay the MPS fee at the time of building permit issuance. If the first option is chosen, the fee paid shall be the fee in effect at the time of plat application and a note shall be placed on the face of the plat that reads, "All fees required by King County Code 14.75, Mitigation Payment System (MPS), have been paid." If the second option is chosen, the fee paid shall be the amount in effect as of the date of building permit application.
 - 10. Lots within this subdivision are subject to King County Code 21A.43, which imposes impact fees to fund school system improvements needed to serve new development. As a condition of final approval, fifty percent (50%) of the impact fees due for the plat shall be assessed and collected immediately prior to recording, using the fee schedules in effect when the plat receives final approval. The balance of the assessed fee shall be allocated evenly to the dwelling units in the plat and shall be collected prior to building permit issuance.
 - 11. Off-site access to the subdivision shall be over a full-width, dedicated and improved road which has been accepted by King County for maintenance. If the proposed access road has not been accepted by King County at the time of recording, then said road shall be fully bonded by the applicant of this subdivision.
 - 12. The proposed subdivision shall comply with the Sensitive Areas Code as outlined in KCC 21A.24. Permanent survey marking, and signs as specified in KCC 21A.24.160 shall also be addressed prior to final plat approval. Temporary marking of sensitive areas and their buffers (e.g., with bright orange construction fencing) shall be placed on the site and shall remain in place until all construction activities are completed.
 - 13. Preliminary plat review has identified the following specific requirements which apply to this project. All other applicable requirements from KCC 21A.24 shall also be addressed by the applicant.

Stream: A Class 2/P stream crosses the northwest corner of the site.

- a. Class 2/P stream shall have a minimum of 50-foot buffer, measured from the ordinary high water mark (OHWM). A minimum building setback line of 15 feet shall be required from the edge of the tract.
- b. Sensitive area tracts shall be used to delineate and protect sensitive areas and buffers in development proposals for subdivisions and shall be recorded on all documents of title of record for all affected lots.
- c. Prior to commencing construction activities on the site, the applicant shall mark sensitive areas Tract(s) in a highly visible manner, and these areas must remain so marked until all development proposal activities in the vicinity of the sensitive areas are completed.
- d. Prior to final approval of construction activities on the site, the boundary between the sensitive area Tract(s) and adjacent land shall be identified using permanent signs. Sign specifications shall be shown on approved plans.
- e. Any buffer impacts associated with the plat such as the construction of the detention out-fall shall be re-vegetated. The clearing and construction of the out-fall shall be completed by hand labor only, no heavy equipment shall be allowed within the steep slope or stream buffer area. A re-vegetation/mitigation plan shall be submitted during final engineering review.

Geotechnical: A portion of the site near the northwest of the site contains slope of over 40%.

- f. Encroachment into the steep slope buffer adjacent to the north side of the Plat, as shown on the site plan dated May 2001, is permitted subject to compliance with KCC21A.24.310.
- g. Up to 12 feet or more of fill is present on proposed Tract B and Lots 27 through 34. This material must be reworked to structural fill specifications in accordance with recommendations presented in the project Geotechnical Engineering Report by Nelson-Couvrette & Associates, Inc.
- h. The applicant shall delineate all on-site erosion hazard areas on the final engineering plans (erosion hazard areas are defined in KCC21A.06.415). The delineation of such areas shall be approved by a DDES senior engineering geologist. The requirements found in KCC 21A.24.220 concerning erosion hazard areas shall be met, including seasonal restrictions on clearing and grading activities.

The following note shall be shown on the final engineering plan and recorded plat:

**RESTRICTIONS FOR SENSITIVE AREA TRACTS AND SENSITIVE
AREAS AND BUFFERS**

Dedication of a sensitive area tract/sensitive area and buffer conveys to the public a beneficial interest in the land within the tract/sensitive area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance

of slope stability, and protection of plant and animal habitat. The sensitive area tract/sensitive area and buffer imposes upon all present and future owners and occupiers of the land subject to the tract/sensitive area and buffer the obligation, enforceable on behalf of the public by King County, to leave undisturbed all trees and other vegetation within the tract/sensitive area and buffer. The vegetation within the tract/sensitive area and buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the King County Department of Development and Environmental Services or its successor agency, unless otherwise provided by law.

The common boundary between the tract/sensitive area and buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of King County prior to any clearing, grading, building construction or other development activity on a lot subject to the sensitive area tract/sensitive area and buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the sensitive area are completed.

No building foundations are allowed beyond the required 15-foot building setback line, unless otherwise provided by law.

14. The proposed combined recreation/stormwater facility shall be developed consistent with the requirements of KCC 21A.14.180 and KCC 21A.14.190 (i.e., sport court[s], children's play equipment, picnic table[s], benches, etc.).
 - a. An overall conceptual recreation space plan shall be submitted for review and approval by DDES, with the submittal of the engineering plans. The proposed stormwater vault shall be placed under ground in such a way that it will not pose a conflict with the development of the tract as a usable recreation space. The plan shall include location, area calculations, dimensions, final grad, and general improvements including landscaping in accordance with KCC 21A.16. The approved engineering plans shall be consistent with the overall conceptual plan.
 - b. A detailed recreation space plan (i.e., landscape specs, equipment specs, etc.) consistent with the overall conceptual plan, as detailed in item a., shall be submitted for review and approval by DDES prior to or concurrent with the submittal of the final plat documents.
 - c. A performance bond for recreation space improvements shall be posted prior to recording of the plat.
15. A homeowners' association or other workable organization shall be established to the satisfaction of DDES which provides for the ownership and continued maintenance of the recreation, open space and/or sensitive area tract(s).
16. Street trees shall be provided as follows (per KCRS 5.03 and KCC 21A.16.050):
 - a. Trees shall be planted at a rate of one tree for every 40 feet of frontage along all roads. Spacing may be modified to accommodate sight distance requirements for driveways and intersections.
 - b. Trees shall be located within the street right-of-way and planted in accordance with Drawing No. 5-009 of the 1993 King County Road Standards, unless King County

Department of Transportation determines that trees should not be located in the street right-of-way.

- c. If King County determines that the required street trees should not be located within the right-of-way, they shall be located no more than 20 feet from the street right-of-way line.
- d. The trees shall be owned and maintained by the abutting lot owners *or* the homeowners association or other workable organization unless the County has adopted a maintenance program. Ownership and maintenance shall be noted on the face of the final recorded plat.
- e. The species of trees shall be approved by DDES if located within the right-of-way, and shall not include poplar, cottonwood, soft maples, gum, any fruit-bearing trees, or any other tree or shrub whose roots are likely to obstruct sanitary or storm sewers, or that is not compatible with overhead utility lines.
- f. The applicant shall submit a street tree plan and bond quantity sheet for review and approval by DDES prior to engineering plan approval.
- g. The street trees must be installed and inspected, or a performance bond posted prior to recording of the plat. If a performance bond is posted, the street trees must be installed and inspected within one year of recording of the plat. At the time of inspection, if the trees are found to be installed per the approved plan, a maintenance bond must be submitted or the performance bond replaced with a maintenance bond, and held for one year. After one year, the maintenance bond may be released after DDES has completed a second inspection and determined that the trees have been kept healthy and thriving.
- h. A landscape inspection fee shall also be submitted prior to plat recording. The inspection fee is subject to change based on the current County fees.

ORDERED this 26th day of November, 2002.

R.S. Titus, Deputy
King County Hearing Examiner

TRANSMITTED this 26th day of November, 2002, to the parties and interested persons of record:

Kelly Bowen
315 SW Langston Rd.
Renton WA 98055

Evelyn Brozowski
8228 S. 134th St.
Seattle WA 98178

Steve Brozowski
P.O. Box 7022
Bellevue WA 98008

Susan & John Bucher
525 SW Langston Rd.
Renton WA 98055-2211

David Casey
Casey Engineering
P.O. Box 1255
Fall City WA 98024-1255

Pory Chhun
406 SW Langston Rd.
Renton WA 98055

William Cluckey
Seattle City Light
700 - 5th Ave., Ste. 3300, Rm. 3914
Seattle WA 98104-5031

Carol & Kevin Cohoe
808 SW Langston Rd.
Renton WA 98055

Dennis & Glenda Corpus
13250 - 84th Ave. S.
Seattle WA 98178

Roger Dorstad
Evergreen East Realty
PO Box 375
Redmond WA 98073

Dorothy Driver
4919 S. Genesee
Seattle WA 98118

Roger Gratias
8426 S. 134th St.
Seattle WA 98178

Tony & Betty Jovanovich
8626 S. 134th St.
Seattle WA 98178

Lakeridge Development Inc.
Attn: Wayne Jones Jr.
P.O. Box 146
Renton WA 98057-0146

Sylvia J. Langdon
312 SW Langston Rd.
Renton WA 98055

Rebecca Lind
City of Renton
1055 S Grady Way
Renton WA 98055

Cecilia Major
8600 S. 134th St.
Seattle WA 98178

Richard Major
3915 W. Prosper St.
Seattle WA 98199

Linda Matlock
WA State Ecol. Dept./WQSW Unit
PO Box 47696
Olympia WA 98504-7696

Dan & Kay Moilanen
214 Stevens Ave. SW
Renton WA 98055

Eleanor Moon
KC Executive Horse Council
12230 NE 61st
Kirkland WA 98033

Ron Munson
623 Cedar Ave. S.
Renton WA 98055

Elaine & Rick Ravston
318 Stevens Ave. SW
Renton WA 98055

Lori Richardson
215 Stevens Ave. SW
Renton WA 98055

Ralph Rutledge
252 Stevens Ave. SW
Renton WA 98055

Randy Rutledge
406 Langston Rd. SW
Renton WA 98055

Seattle-King County Health Department
E. District Environ. Health
14350 SE Eastgate Way
Bellevue WA 98007

Clark Stires
8210 S. 134th St.
Seattle WA 98178

Laird & Kathryn Thornton
285 Earlington Ave. SW
Renton WA 98055

Dale Wong
8632 S. 134th St.
Seattle WA 98178

Mark Bergam
DDES / LUSD
Engineering Review
MS OAK-DE-0100

Greg Borba
DDES/LUSD
MS OAK-DE-0100

Kim Claussen
DDES/LUSD
Current Planning
MS OAK-DE-0100

Fereshteh Dehkordi
DDES/LUSD
Current Planning
MS OAK-DE-0100

Nick Gillen
DDES/LUSD
Site Development Services
MS OAK-DE-0100

Kristen Langley
Land Use Traffic/DDES/CPLN
MS KSC-TR-0222

Carol Rogers
LUSD/CPLN
MS OAK-DE-0100

Steve Townsend
DDES/LUSD
Land Use Inspections
MS OAK-DE-0100

Larry West
LUSD/SDSS
Wetland Review
MS OAK-DE-0100

NOTICE OF RIGHT TO APPEAL

In order to appeal the decision of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$250.00 (check payable to King County Office of Finance) ***on or before December 10, 2002.*** If a notice of appeal is filed, the original and six (6) copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King

County Council *on or before December 17, 2002*. Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 1025, King County Court-house, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within fourteen (14) calendar days of the date of this report, or if a written appeal statement and argument are not filed within twenty-one (21) calendar days of the date of this report, the decision of the hearing examiner contained herein shall be the final decision of King County without the need for further action by the Council.

MINUTES OF THE NOVEMBER 21, 2002 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. L00P0025.

R.S. Titus was the Hearing Examiner in this matter. Participating in the hearing were Fereshteh Dehkordi, Kristen Langley and Mark Bergam, representing the Department; David Casey and Wayne Jones, representing the Applicant; Richard Major, Steve Brozowski, Tony and Betty Jovanovich, Dan Moilanen, Pory Chhun and Susan Boucher also participated.

The following exhibits were offered and entered into the record:

- Exhibit No. 1 DDES File No. L00P0025
- Exhibit No. 2 DDES Preliminary Report Dated November 21, 2002
- Exhibit No. 3 Application Dated December 8, 2000
- Exhibit No. 4 Environmental Checklist Dated November 20, 2000
- Exhibit No. 5 Mitigated Declaration of Non-Significance dated September 24, 2002
- Exhibit No. 6 Affidavit of Posting indicating January 5, 2001 as date of posting & February 8, 2001 as the date the affidavit was received by DDES
- Exhibit No. 7 Revised Site Plan Dated May 21, 2001
- Exhibit No. 8 Land Use Map, Kroll page 327W.
- Exhibit No. 9 Assessors Maps SW & NW 18-23-05 and SE & NE 13-23-04
- Exhibit No. 10 Geotechnical Engineering Evaluation by Nelson-Couvrette & Associates, Inc., Dated September 26, 2000
- Exhibit No. 11 Stream Survey Study by J.S. Jones and Associates, Inc. Dated September 15, 2000
- Exhibit No. 12 Preliminary Storm Drainage Report by Casey Engineering Dated December 6, 2000
- Exhibit No. 13 Traffic Impact Analysis by Christopher Brown and Associates Dated February 21, 2001
- Exhibit No. 14 Accident Analysis Report by Christopher Brown and Associated Dated March 5, 2001
- Exhibit No. 15 Three Letters from Mrs. Brozowski Dated February 12, 2001, September 25, 2002 and October 22, 2002
- Exhibit No. 16 Letter from Mr. & Mrs. Jovanovich Dated March 28, 2002
- Exhibit No. 17 Letter from the Thornton Family Dated March 14, 2001
- Exhibit No. 18 Letter signed by Randy & Pamela Rutledge, Lori Richardson and Ralph & Ruth Rutledge Dated February 8, 2001
- Exhibit No. 19 Letter from Dan & Kay Moilanen Dated February 6, 2001
- Exhibit No. 20 Vicinity Map Prepared by King County Engineering Depicting Neighboring Properties Showing the Sites